

PUBLIC NOTICE NO. MT-07-13

August 15, 2007

PURPOSE OF PUBLIC NOTICE

The purpose of this notice is to state the Department's intention to issue wastewater discharge permits to the facilities listed in this notice. These permits are issued by the Department under the authority of 75-5-402, Montana Code Annotated (MCA); the Administrative Rules of Montana (ARM) 17.30.1301 *et seq.*, Montana Pollutant Discharge Elimination System (MPDES); and Sections 402 and 303 of the Federal Clean Water Act. The Water Protection Bureau has prepared draft permits for the facilities listed below. Copies of the draft permits, fact sheets, and environmental assessments are available upon request from the Water Protection Bureau or on the Department's website [www.deq.mt.gov](http://www.deq.mt.gov).

APPLICANT INFORMATION

APPLICANT:	City of Glendive
FACILITY NAME:	City of Glendive Wastewater Treatment Lagoon
FACILITY LOCATION:	Southeast ¼ of Section 18, Township 16 North, Range 56 East, Dawson County
RECEIVING WATER:	Outfall 001: Glendive Creek
PERMIT NUMBER:	MT0021628

The City of Glendive Wastewater Treatment Lagoon is a 75-acre three-cell facultative lagoon that serves approximately 5,000 people. The Fact Sheet identifies new effluent limits in this permit cycle and allows sufficient time for the City to plan, design, budget and construct a facility to meet those limits during the subsequent permit cycle.

On September 21, 2000, a U.S. District Judge issued an order stating that until all necessary total maximum daily loads (TMDLs) under Section 303(d) of the Clean Water Act are established for a particular water quality limited segment, the State is not to issue any new permits or increase permitted discharges under the MPDES program. The order was issued in the lawsuit *Friends of the Wild Swan v. U.S. EPA, et al.*, CV 97-35-M-DWM, District of Montana, Missoula Division. The DEQ finds that the issuance of this proposed permit does not conflict with the order

because it is not a new permit and the renewed permit will reduce the pollutant load to Glendive Creek.

\* \* \* \* \*

APPLICANT: City of Whitefish

FACILITY NAME: City of Whitefish Wastewater Treatment Plant

FACILITY LOCATION: Section 6, Township 30 North, Range 21 West,  
Flathead County

RECEIVING WATER: Outfall 001: Whitefish River

PERMIT NUMBER: MT0020184

This is a renewal of MPDES MT0020184 for the City of Whitefish Wastewater Treatment Plant discharge to the Whitefish River. The WWTP is a 1.25 million gallon per day 3-celled aerated lagoon facility with mechanical phosphorus removal and no disinfection capabilities. Permit limitations have been developed to ensure the discharge does not constitute a new or increased source for the purpose of Montana Nondegradation requirements. Effluent monitoring requirements will assess compliance with Montana water quality standards.

In September 21, 2000, a U.S. District Judge issued an order stating that until all necessary total maximum daily loads under Section 303(d) of the Clean Water Act are established for a particular water quality limited segment, the State is not to issue any new permits or increase permitted discharges under the MPDES program. The order was issued in the lawsuit *Friends of the Wild Swan v. U.S. EPA, et al.*, CA 97-35-M-DWM, District of Montana, Missoula Division. The DEQ finds that the issuance of this proposed permit does not conflict with the order because the permit does not authorize any new or increased discharge of pollutants.

#### PUBLIC COMMENT

Public comments are invited **ANYTIME PRIOR TO CLOSE OF BUSINESS September 13, 2007.** Comments may be directed to the DEQ Permitting & Compliance Division, Water Protection Bureau, PO Box 200901, Helena, MT 59620. All comments received or postmarked **PRIOR TO CLOSE OF BUSINESS September 13, 2007** will be considered in the formulation of final determinations to be imposed on the permits. If you wish to comment electronically, you may e-mail Dianne McKittrick at [WPBPublicNotices@mt.gov](mailto:WPBPublicNotices@mt.gov).

During the public comment period provided by the notice, the Department will accept requests for a

Public Notice No.: MT-07-13

August 15, 2007

Page 3 of 3

public hearing. A request for a public hearing must be in writing and must state the nature of the issue proposed to be raised in the hearing (ARM 17.30.1373).

The Department will respond to all substantive comments and issue a final decision within sixty days of this notice or as soon as possible thereafter. Additional information may be obtained upon request by calling (406) 444-3080 or by writing to the aforementioned address. The complete administrative record, including permit application and other pertinent information, is maintained at the Water Protection Bureau office in Helena and is available for review during business hours.

PUBLIC NOTICE NO. MT-07-13

August 15, 2007